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ERRORS IN PROF. BRYCE'S "COMMONWEALTH."

BY GENERAL LLOYD S. BRYCE, M. C.

A GENTLEMAN who once attended the review of a German army corps told me that what principally struck him was the peculiar goose-step of the men. Then he described the shape of their canteens, the cut of their coats, and the glitter of their buttons. Mr. Bryce, in his "American Commonwealth," puts me in mind of this observer. He studies the details, the pettinesses, and the minutiae, and then proceeds to generalize therefrom.

Now, if his conception of these details be accurate, his generalizations may be correct ; but if his conception of them be incorrect, his generalizations will be faulty. Mr. Bryce, in his details, is not always right ; indeed, he is often in error.

Let me take his statements concerning Congress. I will point out a few of his errors here, if only to show with what caution his other details must be accepted, and how faulty his generalizations must be.

In the first place, he says that there have been ten extra sessions of Congress called, while in reality there have been eleven. Again, the two parties are strictly divided on the floor, in spite of his assertions to the contrary. The only exception to this rule is that, when one party largely preponderates, seats have to be found for the excess on the other side. Passing before the Speaker is never enforced, and one-fifth of those present can authorize a call of yeas and nays, instead of one-fifth of a quorum, as Mr. Bryce states.

Not an hour and a quarter, but one half-hour, is required for reading the roll-call, and Mr. Brown, the present reading clerk, has done it in twenty minutes.

No member may speak more than once to the same question, says Mr. Bryce ; but this rule is more honored in the breach than in the observance.

The previous question is now put in this form : Shall the previous question be ordered ?—not as Mr. Bryce states that it is put. Indeed, Mr. Bryce must have lamentably misunderstood his informant, when he claims to have been told that without closure, or the previous question, we should never get appropriation bills through ; and the reason that Mr. Bryce blundered here is the very sufficient one that there is *no* previous question in the Committee of the Whole, where all appropriation bills are necessarily considered. If Mr. Bryce were here now, he would hardly have been struck by the way in which the minority of the House submits to the "despotism of the majority," for at the present writing one man holds in check the entire House, and this is the sixth day that he has done so. On the contrary, it is, rather, the submission of the majority to the minority that strikes with most wonder any one who knows anything about Congress.

No member can speak twice to any question, continues Mr. Bryce, in Committee of the Whole, until every member desiring to speak shall have spoken. This rule is not observed, for the very good reason that in so large a body it would be impracticable. Select committees do not last for one session only, as Mr. Bryce states, but either until the object for which they have been called together is accomplished, or until the close of the entire Congress.

Further on Mr. Bryce says: "A motion may be made in the House that the committee do report forthwith, and the House can, of course, restore the bill, when reported, to its original form." This is absolutely incorrect and never was the rule or practice. The only way in which the committee can be discharged from further consideration of a bill is by a suspension of the rules, which requires a two-thirds vote—a motion which is in order only two days in the month. "After a bill has been debated and amended by the committee, it is reported back to the House and is taken up when that committee is called in its order." This does not give a fair idea of the procedure. While there is a rule providing for the call of committees, it is substantially a dead-letter and has accomplished nothing.

"In neither House of Congress are there any Government bills," continues the same authority. This statement gives an entirely erroneous impression. The heads of departments, at every session of Congress, prepare drafts of bills, which are submitted

to Congress, relating to the details of their respective departments, and also Government bills that have a wider significance. An instance of the last is the present Mills Tariff Bill, the framing of which was made in the Treasury Department, at the request of the President and on the lines suggested by his tariff-reform message. The Fishery Bill is another, the Chinese-Exclusion Bill is a third, and the Indian Severalty Bill is a fourth.

These errors that I have touched upon are principally technical, but I now arrive at a more serious comment on his work,—namely, that he has lamentably failed to appreciate those deeper currents beneath the surface of American life which are already beginning to agitate the community. He leaves, by his picture, as he expressly states, nothing for the poorer classes “to fight for,” and has sketched a scene of blissful comfort little short of Paradise. In truth, he takes little, if any, notice of the growth of discontent.

How far is this discontent reasonable, and how is it likely to endanger our institutions? Is it the result of the aggregation of large fortunes, or of the methods by which so many of these have been acquired?

One hears so much demagogic talk on this matter that the conservative instinct of any temperate man is usually disgusted; but from a conservative stand-point especially this subject ought to be met, as the very existence of conservatism is involved. This I hold to be the conservation of our institutions, not only in their letter, but in their spirit. Roughly speaking, these vast aggregations of wealth in the hands of individuals are the result of railroad building or of its management and the coöperation with the railroads in limiting the prices of the necessities of life. A railroad company obtains from Congress a grant of every alternate section of land through which it passes. In many cases the roads fulfill the stipulated conditions, but in many it must be admitted that they do not. Once in operation, however, they make bargains for carrying freight with the large producers along their lines. These combinations enable the preferred shipper to sell at greatly reduced rates and naturally to crowd out the smaller competitor; then when the former has once secured the market, the price of his commodity is raised, as was recently witnessed in respect of oil. Of course it is impossible to describe, within the limits at my command, the various phases these combinations with railroads

take, but they exist in every branch of production, and the Inter-State-Commerce Commission is, for the most part, powerless to prevent them, as it is even now seeking an enlargement of its jurisdiction. Now, much of the complaint, as I have said, against these railroads is so extravagant as to create a reaction almost in favor of their manner of conducting business. You hear them vilified as if they had done no good to the community ; as if they had not built up the countries through which they pass ; as if they ought to be destroyed, root and branch, without regard to the many innocent persons who hold their securities. This outcry is, for the most part, from the granger classes,—that is, from the outside,—but nothing that can be urged against the railroads by the most blatant demagogue can equal the infamy of their management as viewed from the inside ; I mean from the stockholder's stand-point, from the stand-point of orphans, of widows, of people, rich and poor, who have invested their all in these *insecurities*, and who stand to the managers of the roads in much the same relation that the people who crowd around the gambling-tables stand to the croupier. But the stockholders' rights find few defenders in any proposed solution of the railroad question.

Besides the combinations mentioned above between railroads and shippers, there are combinations between large producers themselves, having for their object the destruction of smaller competitors. Thus there are combinations to destroy any person who starts in the oil business, in the business of coal-mining, in the sugar-refining business, in the steel business ; and there are also combinations among the sellers to keep the products of every one but those belonging to their limited circle out of the market. In Chicago, the control of the market for selling beef has practically ruined the industry of cattle-ranching, while the recent corner in wheat in the same city has forced up the price six cents per bushel. Then there are combinations to hold grain, during times of scarcity, for a rise, as there are said to be combinations to corner coffins when men have died of want ; and though much of the evil comes from natural causes, and is undoubtedly the result of the industrial system, we have accentuated the hardship by the enormous scale on which our operations are conducted. At all events, the fact remains that we have developed, during the last ten years, a class of fortunes with whose

magnitude few European fortunes can compare, and pauperism has increased correspondingly with their growth.

This last is a fact we hate to acknowledge, but it cannot be gainsaid. Turn to the official report of Mr. Ford, of the Congressional Investigating Committee. He shows that it costs the State of New York, with some five millions of people, the income at four per cent. of five hundred millions of dollars yearly to support its paupers; in short, twenty millions of dollars must be taken for this purpose from five millions of inhabitants, of whom about one in five is a wage-earner. It follows, therefore, that one million of workers have to pay at a rate of twenty dollars per year apiece for the support of their paupers. And Mr. Ford assures me that the revelations as to the increase of pauperism made by such authorities as the heads of poor-houses, asylums and other eleemosynary institutions, actually startled the committee.

Now, there have been bills directed against these combinations, often with the only object of blackmailing them. There have been bills, too, nominally directed against them, but really at the instance of the ring-masters themselves, in anticipation of hostile legislation. Congress, however, does little besides talk on the subject, partly because it recognizes the danger of legislating on it without injuring innocent people, and partly because it knows that, when it does attempt to legislate, the Senate frustrates its action. Indeed, the history of the Inter-State-Commerce Act is a perfect illustration of this statement, for at the present moment the Commission is vainly seeking to acquire the powers granted by the original Reagan House bill, which was emasculated and rendered nugatory by the Senate. But the whole bias of Mr. Bryce's mind seems to favor the check that the Senate exercises upon Congress. Because no laws are made directly against the laboring classes, he thinks that these classes have no right to complain. He forgets completely that no specific laws are necessary where the laws we have so amply accomplish the purpose.

But it is not alone the manual workers that appear to have a right to complain. On the contrary, you might extend that right to all classes in every field of industry outside of the possessors of gigantic privileges. You might extend it to the possessors of fixed incomes without regard to their magnitude, for all these various people are feeling the pressure. The man engaged in re-

fining sugar on a capital of fifty thousand dollars finds that our existing laws enable those refining it on a capital of ten millions to combine and drive him out of the market with the loss of his entire plant. The man who is mining coal on a corresponding scale finds the same process working against him ; and, coming down to the man with a fixed income, even he discovers that the present laws enable the stock market to be manipulated, through false statements and reports touching the conditions of the properties in which he has invested his savings, so as to endanger his entire capital. You say that this is the result of the industrial system. To a great extent it is, but we have accentuated the evil by special privileges to corporations, by special legislation, and by a laxity in enforcing the laws we have.

Now, Mr. Bryce has put his finger on the sore spot of American institutions,—for it is useless to deny that lobbying exists in motts of our legislative bodies,—but, with a lamentable lack of philosophical insight, he has failed to point out the consequences of the disease. What is lobbying ? Is it, generally speaking, an attempt to influence unduly a legislative body in a line of legislation that may not be for the interest of the public, or, on the other hand, an attempt to retard legislation on some measure that it may be for the public interest to secure.

The result is always, however, special legislation, which usually has for its object private gain. Thus private fortunes are built up at the expense of the public, and in a way that falls little short of direct jobbery. There is also a manner of securing special legislation that is indirect, and which, I regret to say, fails to meet with the severe criticism it should. I will give you an example. "A" has a special scheme on hand, and desires to get it adopted. Our representative bodies are largely made up of lawyers whose partners are engaged in active practice. "A" goes to one of these partners, and gives a fee of twenty thousand dollars, we will say, for the drawing up of a brief, where two thousand would be the ordinary emolument. Not a word may be said as to the purpose of this over-payment, but the implied obligation is that "B," who is in the legislative body, shall present the bill based upon the brief, and force it to a satisfactory conclusion. The passage of this bill and its enactment as law mean a million of dollars for "A." Here we see the process of millionaire-making, and it is just here that our laxity and

political carelessness accentuate the harshness of the industrial system. The investigation of the Alaska Commercial Company in the Forty-fourth Congress may make my meaning plain.

The legislature in every State is more or less affected with lobbying, while the condition of some of our city boards of aldermen could hardly be worse if we seated therein the inmates of our prisons. Why, the government of New York City could have been run in an economical manner solely on the income that the franchises she has squandered annually pay to the privileged holders. Therefore, the privileged holders became wealthy, and the poor, at least in our cities, grow poorer. How do the last become poorer? Simply by the increased taxation that this squandering has rendered necessary. How does increased taxation make the poor poorer? By raising the rate of their tenements. It makes them more wretched beyond what they are made by increased house-rent, simply because there is just so much less that the city has left to expend on parks, on cleaning the streets, and on sanitary improvements, which are the very improvements that the poor and wretched require most.

Now, the harshness of the above conditions is largely mitigated by the opportunities a new country offers, and in these opportunities Mr. Bryce loses sight of the logic of the discontent; but the new country is every day, every hour, becoming an older country, and the difficulty in finding new careers is growing apace.

Again, because a man has no patent of nobility distinguishing him as belonging to a particular class, Mr. Bryce endeavors to make out that we have no classes. But the few already have the essential elements that constitute class distinction—power and wealth. The rest is but the varnish, the veneer, put on the finished article.

Mr. Bryce forgets, too, that we are not living in a military age, but in a railroad age, and that the titles appropriate to the one would be out of place in the other.

It is hardly a strain of the imagination to look forward to a new nomenclature of aristocracy, adapted to the changed conditions of society—"the President of Erie," "the Director of Western Union," "the Boss of Tammany." The only reasons such designations now sound odd are that as yet little social distinction is connected with them, that true refinement has not yet had time to attach to the possessors of all of them, and

that the environment of other possessors is not as yet what people of corresponding wealth would have about them in Europe. The last objection, however, is quickly being removed, and the tendency to adopt the more ceremonious usages of European life follows the march of civilization westward.

In many ways a plutocracy has less to recommend it than an aristocracy. It has no traditions to endear its members to the people and to atone for their errors. It has seldom suffered and never bled for its country. It has less sense of responsibility and rarely enters the political arena save further to enhance its gains. "Gentlemen," a certain railroad magnate is said to have once observed, when asked his political affiliations, "when I am in a Republican district, I am a Republican; when in a Democratic district, I am a Democrat; but I am always and every time an Erie man."

Again, an aristocracy has its throne in the country; a plutocracy in cities. Save in Ireland, where race and religion serve to augment the harshness, the relations between landlord and tenant are generally not unkindly. Indeed, in Ireland it has more frequently been the absence of the landlord than his presence that has brought the system into ill favor. In short, while the predominating feature of an aristocracy is the system of landlord and tenant, that of a plutocracy is the system of mortgagee and mortgageor, wherein the relations are legal, rather than personal, and naturally prevent the interchange of those little kindnesses that so largely affect the lot of man.

But whether the system of landlord and tenant is good or bad, I have seen it stated (though I am not able, through the scantiness of official statistics, to verify the statement) that there are at present one quarter of a million more tenants paying rent to landlords in the United States of America than in England, Scotland, and Wales combined. Now, it seems to me that any one who believed in representative government would perceive that the relief for all these evils could best be found by the full discussion of them in the popular branch of our Government. But Mr. Bryce, from the outset, shows his contempt for representative government by the slur he casts upon Congress. In speaking of its members, he says a Congressman "seems to move about under a *primâ-facie* suspicion of being a jobber, and to feel that the burden of proof lies on him to show the contrary."

Mr. Bryce regards the House, too, as a "ruthless body," and emphasizes the wise check that the Senate exercises over it. But it must be remembered that a Senate is a far stronger body than a house handicapped by such a name as a House of Peers. The Senate can originate supply bills, and it can completely alter revenue bills by amendments. For instance, when the present Tariff Bill came back from the Senate, Major McKinley, in the House, openly asserted that the House had made one bill, and the Senate another, and that, as they possessed certain features in common, a conference ought to be appointed to settle the differences. A wise conclusion; only the premises went to the root of all representative government, viz., that seventy-odd gentlemen, representing Statehood—in no wise the people—could decide how the people should be taxed. You say that, representing Statehood, the Senate *does* represent the people. I say it does not, and for the incontrovertibility of my statement we need only turn to the largest and wealthiest State in the Union, New York, which has had two Republican Senators ever since Francis Kernan's day, despite the many times she has gone Democratic.

In my opinion, the Senate is not irresponsible for many of the evils which I have touched upon, through this very power of checking the popular will. If you wish an instance, I will take its action in refusing to confirm the forfeiture of unearned land-grants where it was clearly shown that the railroads had failed to fulfil the conditions on which the land had been given to them. Probably no one measure has had more to do with building up these phenomenal fortunes.

Again, there is a pronounced tendency for men whose only recommendation is their wealth to buy their way into the Senate. But still more dangerous than this, still more hazardous to the community, since it works insidiously, is the tendency towards special legislation in the Senate arising from the practice of receiving fees through the law firm of which some particular Senator is a member.

Special legislation builds up special privileges; special privileges build up private fortunes; and private fortunes built up by special legislation are a detriment and an insult to the community. Thus the few grow richer and the many grow relatively poorer; not so much because the Senate has so many rich men in its bosom, as because it has enough greedy ones often to effect

legislation. In this case, they become the agents of wealthy corporations and regard their high places much as brokers regard their seats in the Stock Exchange.

Because Mr. Bryce can see no likelihood of a military despotism, he sees no danger in store for us. He forgets that each epoch has its own particular danger. We live in a commercial age—not in a military age, let me repeat ; and the shadow that is stealing over the American landscape partakes of a commercial character. In short, the shadow is of an unbridled plutocracy, caused, created, and cemented in no slight degree by legislative, aldermanic, and congressional action ; a plutocracy that is far more wealthy than any aristocracy that has ever crossed the horizon of the world's history, and one that has been produced in a shorter consecutive period ; the names of whose members are emblazoned, not on the pages of their Nation's glory, but of its peculations ; who represent no struggle for their country's liberties, but for its boodle ; no contests for Magna Charta, but railroad charters ; and whose octopus-grip is extending over every branch of industry ; a plutocracy which controls the price of the bread that we eat, the price of sugar that sweetens our cup, the price of oil that lights us on our way, the price of the very coffins in which we are finally buried ; a plutocracy which encourages no kindly relation between landlord and tenant, which has so little sense of its political duties as even to abstain from voting, and which, in short, by its effrontery, is already causing the unthinking masses to seek relief in communism, in single-taxism, and in every other ism, which, if ever enforced, would infallibly make their second state worse than the first. No observant mind can have failed to notice the socialistic trend of thought in the nature of bills introduced in Congress. To be sure, they never became laws, and it is very fortunate that some of them do not.

For instance, there is a bill, I am told, nominally drawn in the interest of the Eight-Hour Law that would make it a penal offence for a ship's captain to employ his men under any circumstance over eight hours any one day. Thus, if the vessel struck a leak and could not be pumped out in those eight hours, the captain would have to go to prison on landing, had he, to save the lives of his crew, made them pump five minutes over the allotted time. Again, there is a bill which would prevent bands of music in certain localities from playing "Hail Columbia," if it were not allowed by

the musical union. But ridiculous as many of these bills are, they strike a note of warning. The note of warning is, not of Cæsar, but of Augustus,—a premature Augustus,—who ought to come in a country's decadence, not in youth, and who brings in his train socialistic legislation. In short, so much wealth has been piratically obtained, that it is making the honestly-acquired wealth that you and I possess, a stench in the poor man's nostrils. On this temper of the public mind all agrarian legislation is based. Therefore I raise my voice, not as a radical, but as a conservative, against allowing liberty to degenerate into jobbery, equality into vulgarity, and—what is especially dangerous—fraternity into an amiable negligence in enforcing the law against criminals in high place.

Mr. Bryce sees America through the rim of a champagne-glass, to the strains of soft music, and in the smiles of fair women. He sees what America should be, but what it is not ; and to close our eyes to the true state of the case is to prevent the redress of evils which, if allowed to go on unabated, will infallibly make Democracy a by-word in the vocabulary of nations.

LLOYD S. BRYCE.